

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DANIEL GILL,

NOTICE OF MOTION

Plaintiff,
-against-

23 Civ. 4087 (LAK)

RUDOLPH W. GIULIANI, THE CITY OF NEW
YORK, P.O. MATTHEW T. MCCARTHY,
DETECTIVE MICHAEL LEVAY, SGT. FNU
MILATTA, SGT. JAMES COUGHLIN,
SUPERVISOR(S) JOHN DOE(S),

Defendants.

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PLEASE TAKE NOTICE that upon the Declaration of Inna Shapovalova, dated October 10, 2023, together with the exhibits annexed thereto, and Memorandum of Law in Support of City Defendants' Motion to Dismiss the Amended Complaint, dated October 10, 2023, and all pleadings and proceedings previously had herein, defendants City of New York, Matthew McCarthy, Michael Levay, Charles Milatta and James Coughlin (the "City Defendants") will move before the Honorable Lewis A. Kaplan, on a date and time to be determined by the Court, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York, to dismiss the Amended Complaint pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and for such other and further relief as the Court deems just, proper, and equitable.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's Order dated September 22, 2023, plaintiff's opposition papers, if any, should be served and filed on or before

November 7, 2023, and the defendants' reply papers, if any, shall be served and filed on or before November 21, 2023.

Dated: New York, New York
 October 10, 2023

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel of the City of New York
*Attorney for Defendants City, McCarthy, Levay,
Milatta, and Coughlin*
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New York, New York 10007
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By: /s/ Inna Shapovalova
Inna Shapovalova
Senior Counsel

cc: **BY ECF**
Ronald Laurence Kuby, Esq.
Rhidaya Shodhan Trivedi, Esq.
Attorneys for Plaintiff